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TRANSMITTAL FORM

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Total Number of Pages in This Submission	Application Number	10/049,733
	Filing Date	November 8, 2002
	First Named Inventor	Yoichi Kawashima
	Art Unit	3728
	Examiner Name	Jila M. Mohandesi
3	Attorney Docket Number	388-020198

ENCLOSURES (Check all that apply)

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Remarks:

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Darrell E. Williams, Registration No. 45,222		
Signature	<i>Darrell E. Williams</i>		
Date	August 26, 2004		

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Application No. 10/049,733
Paper dated August 26, 2004
Attorney Docket No. 388-020198



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/049,733
Applicants : Yoichi Kawashima et al.
Filed : November 8, 2002
Title : OPEN INSTILLATION CONTAINER AND
METHOD OF MANUFACTURING THE
CONTAINER
Group Art Unit : 3728
Examiner : Jila M. Mohandesi
Confirmation No. : 4588
Customer No. : 28289

Mail Stop Amendment
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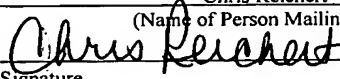
ELECTION WITH TRAVERSE

Sir:

This is in response to the Office Action dated July 26, 2004 in which the Examiner has required a restriction to one of the following invention:

Invention Group I, covering claims 1-5, 10 and 14-15, drawn to an eye drop container; and

Invention Group II, covering claims 6-9, 11-13 and 16, drawn to a method of manufacturing an eye drop container.

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Chris Reichert	
(Name of Person Mailing Paper)	
	August 26, 2004
Signature	Date

Applicants hereby elect for further prosecution the invention of Group I, covering claims 1-5, 10 and 14-15, drawn to an eye drop container.

The Examiner asserts that the inventions of Groups I and II do not relate to a single general inventive concept because the inventions lack the same or corresponding special technical features. Applicants respectfully traverse this Restriction Requirement on the grounds that no serious burden exists on the Examiner by examining claims 1-16 in a single application. When searching and examining the Group I claims, the Examiner will also encounter subject matter set forth in the Group II claims. Therefore, a separate search would not be required. In view of the above, no serious burden exists on the Examiner by examining all of the claims in a single application. Accordingly, withdrawal of the Restriction Requirement is respectfully requested.

Applicants hereby reserve the right to prosecute non-elected claims 6-9, 11-13 and 16 by way of a divisional application filed at a later time. Pursuant to 37 C.F.R. § 1.48(b), there is no change in inventorship as a result of this Election.

Respectfully submitted,

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